

REMARKS/ARGUMENTS

This Amendment is responsive to the Office Action mailed on July 11, 2006.

In this Amendment, claims 10 and 27 are amended so that they are in independent form. Claims 1, 4-8, 10, 20-24, and 26-27 should now be in condition for allowance. The Examiner is thanked for the indication of allowability.

Before addressing the specific rejections in the Office Action, the Examiner states that the IDS filed on June 16, 2006 fails to comply with 37 C.F.R. 1.97(c), because it lacks a statement pursuant to 37 C.F.R. 1.97(e).

In response, a certification pursuant to 37 C.F.R. 1.97(e) is not required under section 1.97(c). 37 C.F.R. 1.97(c) states that an applicant may pay a fee and have an IDS considered before an action closing prosecution (i.e., a final rejection) or a Notice of Allowance, without a certification. Since the fee was authorized in the IDS, and since the current Office Action is non-final, Applicants request that the IDS be considered and that an initialed copy be returned to the undersigned.

I. 35 USC 103 – Park (U.S. Patent No. 4,794,431)

Claims 9, 11-19, 25, and 28-29 are rejected as being obvious over Park. This rejection is traversed.

A. *Independent claims 9, 16, and 25*

Park fails to obviate independent claims 9, 16, 25, or any claims dependent thereon. Park fails to teach or suggest, *inter alia*, “(a) forming a substrate comprising a leadframe and a molding compound, wherein exterior surfaces of the leadframe and the molding compound are coplanar” as recited in independent claim 9. Independent claim 16 and independent claim 25 recite similar limitations. In the Office Action, the Examiner states that transparent material 42 is a molding compound. However, as shown in FIG. 5, the transparent

material 42 does not have any surface that is coplanar with a surface of the leadframe (which includes lead 14). Compare, for example, the substrate shown in FIG. 2 of the present application.

It also would not have been obvious for one to have modified Park to include a substrate including a leadframe and molding compound with coplanar surfaces. If one were to do this, the transparent molding compound 42 would no longer be present, and (according to Park) this is needed to ensure that a good optical path is present between devices 20, 16, and 18 in Park (c. 4, ll. 34-44). Accordingly, Park teaches away from embodiments of the present invention.

B. Independent claim 25

Independent claim 25 recites, *inter alia*, “a printed circuit board, wherein the optical emitter and the optical receiver are disposed between the substrate and the printed circuit board.” This feature is also not taught or suggested by Park. As shown in FIG. 5 of Park, Park’s device is a surface mount device, and the leads 14 would be bent downward so that the device can be mounted to a board. In this case, the leadframe including the lead 14 would be between the device 18 and any circuit board (not shown). Accordingly, no optical emitter or receiver would be between any circuit board and leadframe in Park. It would therefore not have been obvious for one to have modified Park to arrive at the invention of claim 25, since doing so would require one to completely re-design Park’s device.

While the Examiner states that one would have modified Park to arrive at claim 25 to “an intended use of the device and enable the device to electrically couple to power sources and appropriate signal processing systems,” this does not explain why one would want to reconfigure Park’s device so that any optical devices are between a substrate including a leadframe and a circuit board. Accordingly, there is no motivation to modify Park to arrive at the present invention.

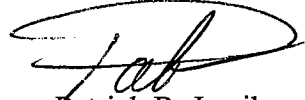
Appl. No. 10/817,195
Amdt. dated October 11, 2006
Reply to Office Action

PATENT

CONCLUSION

If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 415-576-0200.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Pat', enclosed within a large, loopy oval stroke.

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